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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,929	10/22/2001	Atsushi Otera	110926	8454

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EXAMINER

BLACKMAN, ANTHONY J

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/982,929

Applicant(s)

OTERA, ATSUSHI

Examiner

ANTHONY J BLACKMAN

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Image Reproduction Display Apparatus Utilizing A Controller With Selection Mask Conversion Module.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over JOSHI et al, US Patent no. 5,982,381 in view of JONES et al, US Patent No. 5,363,463.
3. As per claim 1, JOSHI et al, examiner interprets JOSHI et al to suggest an image apparatus (figure 1), comprising: an image display unit (figure 1, element 18); and an image reproduction module that generates display video data (figure 1, element 38 and column 3, lines 3-15), which is to be displayed on the image display unit (column 3, lines 3-15), the image reproduction module (figures 4 and 5) having an image transition

Art Unit: 2676

controller (figure 1, element 10) that uses a predetermined image selection mask to process a first image and a second image and thereby generate the display video data in the case of changing display on the image display unit from the first image to an image including the second image in at least part of a display area of the first image (figures 4-5, column 1, line 56-column 2, line 15),

wherein the image controller (figure 1, element) comprises: a storage module that stores therein the first image, the second image (figure 1, element 24, column 2, line 63-column 3, line 2), however, does not explicitly teach "... and a base selection mask having an image area of a smaller size than the at least part of the display area; and a selection mask conversion module that converts the base selection mask into the image selection mask having an image area of an identical size with at least part of the display. JONES et al suggests the aforementioned limitations as follows: and a base selection mask having an image area of a smaller size than the at least part of the display area (figure 1, elements 12 and 36 and figure 6, column 5, lines 20-36); and a selection mask conversion module that converts the base selection mask into the image selection mask having an image area of an identical size with at least part of the display (figure 1, elements 12 and 36 and figure 6, column 5, lines 20-36). It would have been obvious to one skilled in the art at the time of the invention to utilize the means of updating objects displayed in a computer system of JONES et al to modify the method and apparatus for modifying a cutout image for compositing including reiterative mask generation means and scaling means of JOSHI et al because both inventions at least

Art Unit: 2676

similar technological areas related to obscured image recognition. Additionally, JONES et al provides a more detailed database structure to manipulate display attributes.

4. As per claim 2, JOSHI et al as modified meet limitations of claim 1, and suggest, "...wherein the selection mask conversion module obtains the image selection mask through expansion/contraction of the base selection mask (figure 4, elements 82 and 90 suggest scaling and a reiterative process to further change the sizing).

5. As per claim 3, JOSHI et al as modified meet limitations of claim 2, and suggest "...wherein the selection mask conversion module obtains the image selection mask by setting the base selection mask as one block data and repeating the block in a two-dimensional manner (figure 4, elements 82 and 90 suggest scaling and a reiterative process to further change the sizing).

6. As per claim 4, JOSHI et al as modified meet limitations of claim 1, and suggest, " wherein the selection mask conversion module obtains the image selection mask by setting the base selection mask as one block data and repeating the block data in a two-dimensional manner (figure 4, elements 82 and 90 suggest scaling and a reiterative process to further change the sizing).

7. As per claim 5, JOSHI et al as modified meet limitations of claim 1, and further suggest, "... wherein the image reproduction module further comprises an interface that is capable of reading data stored in a portable recording medium figure 1, elements from block 36), and at least one of video data representing the first image and the second image is read from a recording medium connected to the interface (figures 1 and 4 and 5).

Art Unit: 2676

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. SHIGETA, US Patent Application Publication, Pub. No. 20020089518 discloses at least the display of overlapping means.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY J BLACKMAN whose telephone number is 703-305-0833. The examiner can normally be reached on FLEX SCHEDULE.

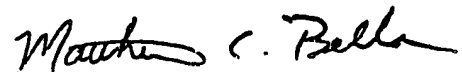
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW BELLA can be reached on 703-308-6829. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



ANTHONY J BLACKMAN  
Examiner  
Art Unit 2676

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